



BELLINGHAM PLANNING BOARD

5 COMMON STREET
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May 23, 2002 Meeting Minutes

- **Present at the meeting:**

Steve D. Choiniere, Sr. (SDC), Chair
Brian J. Sutherland (BJS), Vice Chair
Edward W. Guzowski, (EWG), Secretary
Roland R. Laprade (RRL)
Glenn C. Wocjik (GCW), Alternate
*Not Present: Richard V. Dill (RVD)

Other officials: Paige Duncan (PED), Town Planner
Beth E. Partington (BEP), Coordinator
Thomas Guerin (TG), Fire Safety Officer
Amy Cook (AC), Chairman, Commission on Disability

BJS: Motion to accept 4/11/02 minutes.

RRL: Second. Vote: 4-0, 1 absent. Approved.

RRL: Motion to accept 4/25/02 minutes.

BJS: Second. Vote: 3-0, 1 absent, 1 abstention. Approved.

- **Hixon Farms Estates Bond Taking Reconsideration:**

PED discussed a memo that Don DiMartino sent to the Planning Board, stating that Bill Eagan had finished the work at Hixon Farms and had very minor things left. He thought the applicant would be motivated to finish the work to get his bond money and didn't think we needed to take the bond.

RRL: Motion to remove Hixon Farms Estates from Article 6 of 6/13/02 Special Town Meeting.

BJS: Second. Vote: 4-0, approved.

- **Planner's Report:**

1. **JPI:** Continued public hearing in the Town Hall Annex – 5/30/02, 7:30 pm.

2. **Daprato vs. Town of Bellingham:** Fred Daprato has filed suit, challenging the zoning amendments passed last fall. I have provided copies of all pertinent documentation to Lee

Ambler. Nothing new since then. Some information on this matter is included in your package.

3. **EMC:** On 5/21 filed Preliminary Subdivision Plans for their land in town (Maple/High Street and Milford/Bellingham Technology Park). Public discussions scheduled for June 27th meeting.
 - Maple/High – 144±-acre property. Proposing 3,532± linear feet (lf) of roadway to create frontage for 11 industrial lots.
 - M/B Technology Park – 154±-acre property. Proposing 1,400±-lf of roadway in Bellingham to create frontage for four industrial lots.
4. **Advertising:** Need to amend our Procedural Rules to advertise in the Gazette and to require applicants to handle. Currently, under Special Permit requirements, the Procedural Rules state:
 - 3.2 Notice of Hearing. Notice of hearing will be given by the Planning Board in accordance with the General Laws Chapter 40A, Section 11, as amended, by mailing and by publication in *The Call* and in the *Milford Daily News*.

There is no mention of advertising specifics for Development Plans or Definitive Plans. Amendment of the Procedural Rules is long overdue and only involves a public hearing. I will begin this next week.

- **Conroy Development Bellingham Business Center, Mechanic Street.**

BJS: Motion to waive the public reading of the public hearing notice.

RRL: Second. Vote: 4-0, approved.

Joe Antonellis, attorney, representing the applicant. Introduced the team: Joe Lynch from Conroy Development, Project Engineer, Mike Snow of Meridian Engineering, Ken Cram, Traffic Engineer.

Proposing a Development Plan Review and Special Permit due to disturbance of 30% on impervious material. Proposing 210,000 s.f. in two (2) buildings, parking for over 200 cars. There needs to be some intense review of traffic patterns. Our first goal is to meet the requirements of Mass Highway. In the process of re-definition of drainage patterns, we may be filing a change in plans with the possibility of a retention pond. We've met with abutting properties. This fits within the scope of the master plan for the Town of Bellingham.

Joe Lynch, of Conroy Development, Regional Developer, explained that there remains a market for this type of building. Office space just isn't needed in this market. There is quite a bit of landscaping on the project in the parking areas and along the building as well. They've designed it so that it's different from warehouse buildings of the past.

Mike Snow, a registered Landscape Architect, project Engineer with Meridian Engineering discussed the proposed project. There are 18.9 acres, zoned industrial,

encompassed in wetland area. There are open fields, vegetated area, and wetlands. Municipal sewer exists though we're not allowed to tie into it because of capacity. We're proposing two buildings with two curb cuts with one entrance and exit for each cut. Parking is 230 spaces between the two sites; we're required to have 160 in light of recent activity on zoning, it supports the market of 1 per thousand sf. Grading is focused on the southern plateau, manipulating the grades between the two buildings; about 3' lower than the street. The front is bermed up and landscaped to make it more aesthetically pleasing. Drainage is designed to be collected in stormwater basins. 100% of the stormwater goes back into the ground. Given the soils of the area, everything will infiltrate back into the ground. There is natural gas, electric telephone, which will be underground. A septic system is proposed for each building. Site lighting complies with regulations. Off site glare is controlled with the lighting design. One of the things that came out of the review with the Town Planner was to show parking if the building wasn't 10% warehouse and 90% warehouse. We did do a diagram of parking where it was 2 per thousand. We feel comfortable the drainage system would still work if the parking were to change. If the building were not a warehouse, the two loading docks wouldn't be necessary and that space could be used for parking.

Mr. Snow stated to the Board that they are proposing to do trees instead of shrubs, that the ratio is 1 tree for every 4 shrubs. He requested input from the Board on this issue. They are also requesting a slope of 2 ½ to 1 instead of 3 to 1 in the storm water management system design. They have a letter from a geo-technical engineer saying that it works. The soils are stable enough to do that. If it has to be 3 to 1, we'd benefit from knowing that now. We're prepared to respond the five comment letters and are prepared to have them as part of the conditions.

There was discussion in the traffic consultant's memorandum in regard to the flow of internal circulation of this location. We feel it's fine the way it is, but if the Board so feels, that could be part of the discussion now.

EWG asked who owns the land.

Mr. Lynch stated the Bernon Family Realty Trust.

EWG asked if there was any question of ownership of this development.

Mr. Lynch stated there is question of ownership of a triangle portion of the site that is not within the scope of the project. We're trying to work out an arrangement with Mr. Moore that Mr. Antonellis suggested, that we look at a joint drainage design as a possible compromise that the parties put together something that satisfies the needs of our property and the needs of future development for Mr. Moore.

EWG stated he has concerns because the Planning Board was named in suit several years ago when a parcel was in question of ownership. Maybe we should refer to Town Counsel over this.

Mr. Ed Moore stood up in the audience and asked to enter his statement into record.

"I am here and wish to have my technical opposition register to this application.

There are physical and legal problems with the plan, but as abutters we are attempting to work them out.

I have been assured that an actual vote on the application would not be sought this evening and in reliance upon that I appear without legal counsel and without an elaboration of my concerns and complaints.

I wish simply to reserve my rights to oppose this application subsequently."

SDC stated it doesn't appear that any of the disputed property is part of the parcel.

EWG stated that we had a developer come in as someone that does not own the property, like yourself, and there was a decision based on ownership and we made a decision based on what the developer told us. So nothing against you and your presentation, but I just want to make sure that all the deeds are cleared up before we make a decision.

BJS stated serious concerns about traffic flow. He discussed entrances and exits. The keyhole turn around on a depression looks like an awkward place for trucks to be turning. It doesn't make sense to have trucks turning on a depression when hazardous materials could end up in the storm water detention area.

Mr. Lynch stated that originally they had 3 curb cuts but Mass Highway didn't want three curb cuts, so they modified the design. All the radii were done with 53' trailers.

BJS stated he understands the radii is probably fine, but it's the slope that is the problem. He also has concerns of people exiting the parking area while a tractor-trailer truck would be coming in. It seems like it could be a large problem.

SDC agreed. He felt the people in the smaller lot should be able to go down the hill and around the building instead of all out the same exit that trucks would be entering.

RRL wondered why the two parking lots weren't connected for traffic flow so that people could go all the way around.

Mr. Lynch stated to keep the identities of the properties separate for each building. To keep the vehicular traffic separate for each building. We thought it would be better served this way.

SDC stated that they could keep the traffic flow to wrap around the building, coming around the other set of trees with one way in and one way out.

Mr. Lynch stated that some of the reasoning was to keep the trucking away from the front door.

Bonnie Poulin of Bruce Campbell and Associates, feels that the two-way traffic flow in three areas within 150 feet in a level F service area. Stacking could be back 14 vehicles. It's a significant problem. I made the suggestion to have one-way traffic along two of the lanes. If you break the median and allow people to turn at the medians, it would make it possible to turn around instead of going all the way around the building.

BJS stated it could be accomplished by angling the parking striping. He also stated that while those stop lines are commendable, they are nearly unenforceable and 90% of the time ignored.

Lt. Guerin stated the center aisle poses a serious hampering for the fire department. He would like to see the center aisle disappear. Legally, the Fire Department has access to two sides of the building and with the center aisle of trees, you're not giving us that, so something needs to be done with the trees.

Ms. Poulin stated that with trees, the applicant needed to be sure that the sight distance is not impaired by the trees. She also stated that some people might want to back out and go around the building if it was going to be quicker. Then they wouldn't be able to back up with the two-way traffic. If it were one way, they would be able to.

RRL stated that we have had a lot of applications that have had a shared driveway, that it should be no problem. You can have separate building and marketing, even with a shared driveway.

Ken Cram, the traffic engineer for the project, stated that the queues are stated at 13, 14. They feel this is pretty conservative, that most warehouses get out earlier than office hours and wouldn't affect the traffic as much as predicted.

BJS stated that while he liked the idea of the center aisle with trees, would it be possible to decrease the size of the buildings, it might minimize the impact and increase the traffic flow, making the whole project work and possibly mitigate it that much more with a wider driveway allowing people both in and out. The Fire Department's concerns are valid. If you change it just slightly, you might be able to address all the concerns that have been addressed here.

Mr. Lynch stated they would address all the comments.

Ms. Poulin stated she would like to see the sight distance laid out on the plan.

RRL stated off-site improvements might have to be done at Mechanic Street and Maple Street. He asked if anything had been mentioned in relation to Blackstone Street.

Mr. Lynch stated that mitigation hasn't really been discussed. They had a brief meeting with Don DiMartino. They're looking carefully at what Mass Highway requires. He said they're working with a limited amount of money and want to see what is required before they can see what they'd be able to offer the community.

RRL stated that he thinks the Blackstone Street intersection is horrendous. He feels it needs a light with all the buses and emergency vehicles coming out of there. He understands it's slated to be done, but it has been for ten years.

Mr. Cram stated the Town does have a project slated for design for that street, and they currently have a consultant on board doing that design.

PED stated that Don DiMartino suggested they be able to throw \$30,000 into that intersection, that unless they were able to throw 2 million into the project, they wouldn't be able to impact the time frame of it being built. Don wasn't sure he wanted money going to that project since it was already funded.

Ms. Poulin stated that Mass Highway does have Blackstone Street slated for project design, but there is a \$30,000 deficit in the project. Come July 1st, the new fiscal year, there will be money slated for that project. At this point, we hear it's imminent, but imminent has meant a decade.

Tom Guerin asked about the problem with water. He stated they were building a large building that required sprinkling. They've indicated 8" mains; there are only 6" mains on 140.

Mike Snow stated the engineering team was working with Don DiMartino. The consultant for the town was looking at the water system. The report that came back today said that everything is fine.

Tom Guerin stated that once this goes to development plan, the plans come to my office and if they don't meet the calcs, you don't build.

M. Snow stated they've done a flow test and the pressures are more than adequate for them to build.

SDC stated that there is extra parking under the warehouse use, but if someone wanted to put in more than the 15% office space? These buildings are built as a warehouse, but if someone came in and wanted to put their telemarketing in, you're not going to say no.

PED stated that the zoning required 420 under the warehouse use. If the use changed, they would have to come in before the Board for approval. Any improvement would have to come back. They wouldn't have much due to the limited parking.

M. Snow stated that the parking shown on the plan is what the market demands. The parking ends at the existing slope, so there would be no room for future expansion. The revise of the design allows for 424, satisfying the requirements of 2 per thousand, it's an extra 193. If the warehouse were to change to more office space, you wouldn't need as much space for the trucks.

SDC asked the reason for the 2 ½ to 1 slope.

M. Snow stated it gave them the flexibility to avoid pushing the project out to the limits. 3 to 1 is a very small slope and would maximize the land use. Typically, they design for 2 to 1, but Bellingham requires 3 to 1. It's an infiltration center.

SDC asked about curbing.

M. Snow stated that it would be cut granite, pre-cast concrete for most of it and cape cod berm in the back around the edge of the property, which they are proposing to not have at all.

SDC opened the public hearing for Connor's Crossing.

RRL: Motion to waive public reading of article.

BJS: Second. Vote: 4-0, approved.

RRL stated the sides of the building, the long, plain wall, are what you see when you drive by and that he felt they needed more landscaping and possibly more decorative as in the front, than just all bricks.

Amy Cook asked if they had received her comment letter, and they had.

BJS stated that if they were going to have parking areas in the back of the building, would they have access into the building from the back? Because he felt it would be useless to have parking in the back, if people had to walk all the way around the building, they wouldn't.

Mr. Lynch stated that there would be rear access for every potential tenant.

Mr. Antonellis: We've talked exclusively about sight plan, I don't want to lose sight of the Special Plan. Mr. Dill isn't here tonight; I would like to make sure there are five members. We didn't speak directly about the Water Resource Special Permit. This is a project that is going to put all the water back into the site, and I do believe that is one of the reasons for having a Special Permit within a water resource district. We would probably hope to get back to you with a lot of information from Mass Highway.

SDC made note of the fact the Glenn Wocjik would be voting on the special permit.

RRL: Motion to continue to 6/20/02 at 8:30. The extension will go to 7/2/02.

BJS: Second. Vote: 4-0, approved.

- **Connor's Crossing Definitive Subdivision, Mechanic Street**

Sarah Pultz of Salvetti Engineering, putting in a construction subdivision, 3 business lots and 4 residential lots, right next to the Post Office. There are 3 wetland areas, one on lot 7, containing some endangered species, which will not be disturbed at all. These wetlands will not be filled.

PED suggested that on the engineering aspect, she requested the engineering consultant, Mainstream Engineering to not come because it would definitely need further review.

Marty Roche of 31 Crystal Lane, had concerns regarding drainage from lots 1,2,and3 into lot 7, onto abutter's land, which is part of the lower parcel of Crystal Springs Condominiums.

S. Pultz explained the leaching galleries filter the water. It's designed in such a way that no more water can leave the sight after development than before development.

SDC stated that the applicant has engineers and we have engineering consultants who check these figures.

BJS said we can ask him specifically what impact if any, will there be to abutters.

Diana Simonini of Marion road, asked how close to the lot line the houses would be.

SDC opened the Special Permit Public Hearing for a Back-lot Subdivision at 401 Hartford Ave.

RRL: Motion to waive the reading of the public hearing notice.

SDC: Second. Vote: 4-0, approved.

BJS asked if there were any plans for the house. He had been asked if it would be possible to be used for Habitat for Humanity.

T. Jones stated that every house moving company in the area has gone out of business. He didn't think he could find anyone around to move the house.

RRL Motioned to continue the public hearing to 6/20 at 9:30p.m.

BJS: Second.

- **401 Hartford Avenue Back-lot Subdivision:**

Walter Howe, 24 Standish Road, stated that he was upset that the surveyors went on the property without asking or informing anyone.

PED and BJS stated that surveyors are allowed to trespass on peoples' properties because they are working for the courts.

Mr. Howe explained it is a treed lot, that wild life run free and easy in there. Deer and other animals live in there and it seems it's a huge piece of land being cut in half by the long driveway.

Don Burlingame, 31 Standish Road, asked who's building the house. The people on the corners are very concerned about kids crossing. He also stated that he was angry about the way the surveyors came on their property, didn't answer any questions and just walked all over peoples' yards. He also asked the Board if the Public Hearings could be posted on Cable 8.

The Board discussed the possibility of putting the Public Hearing notices on Cable 8. RRL asked to have the owner go to the Conservation Commission and have a decision on access to the North Field. He stated there is no time limit and stated that he didn't want to make a decision until the three following issues were resolved: 1. owners of Bainbridge Realty Trust listed; 2. possibility of moving the house forward to maintain the passage way for the wild life; 3. easement to North Field was established.

Mr. Howe felt the clearing of the land is what would disturb the animals the most.

RRL stated we could ask them to leave a 25' buffer.

RRL: Motion to continue to 7/11/02 at 8:00pm

BJS: Second. Vote: 5-0, approved.

RRL suggested looking at other communities sign by-laws. RRL asked if we should have a checklist for private citizens to come.

RRL wants to bring up to the Board of Selectmen changing the land the town just bought from industrial to something else to make sure that because it's so close to the school that it will be protected.

RRL: Motion to adjourn.

BJS: Second.

Minutes Accepted on: _____
(date) (prepared by: Beth E. Partington)

Steven D. Choiniere, Sr. Brian J. Sutherland

Edward W. Guzowski Richard V. Dill

Roland R. Laprade